

#SP8-0119/02
GP1636

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

13164A

In Re Application Of: **Benjamin E. Reubinoff, et al.**

OCT 0, 8 2002

PATENT & TRADEMARK OFFICE

Serial No.

10/090,887

Filing Date

March 5, 2002

Examiner

Unassigned

Group Art Unit

1636

Title:

EMBRYONIC STEM CELLS

Address to:

**Assistant Commissioner for Patents
Washington, D.C. 20231**

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

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EMBRYONIC STEM CELLS

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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Signature

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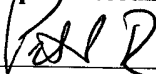
I certify that this document and fee is being deposited
October 4, 2002 with the U.S. Postal Service
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Signature of Person Mailing Correspondence

Michelle Mustafa

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Signature

Dated: October 4, 2002

Peter I. Bernstein
Registration No. 43,497
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Benjamin E. Reubinoff, et al.

Examiner: Unassigned

Serial No.: 10/090,887

Art Unit: 1636

Filed: March 5, 2002

Docket: 13164A

For: EMBRYONIC STEM CELLS

Dated: October 4, 2002

Assistant Commissioner for Patents
Washington, DC 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

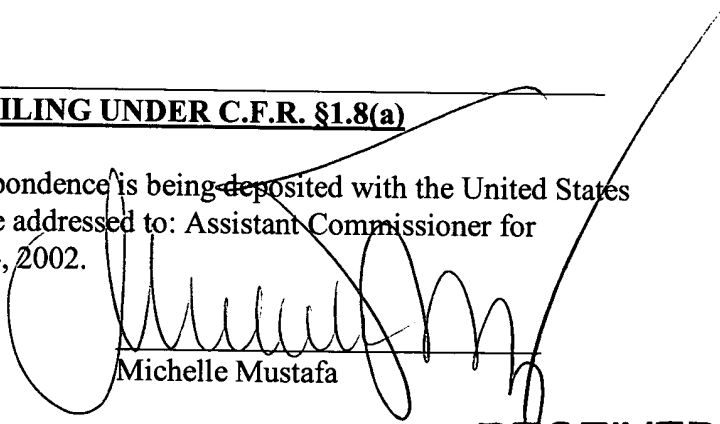
In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Bongso, A., et al. (1994) "The Growth of Inner Cell Mass Cells From Human Blastocysts", Heriogenology 41:167 (Abstract XP000613214);
2. Pera, M. F., et al. (1999) "Human Embryonic Stem Cells", Journal of Cell Science 113:5-10; and

CERTIFICATE OF MAILING UNDER C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 4, 2002.

Dated: October 4, 2002


Michelle Mustafa

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3. Reubinoff, B. E., et al. (2000) "Embryonic stem cell lines from human blastocysts: somatic differentiation in vitro", Nature Biotechnology. 18:399-404.

Pursuant to 37 C.F.R. §1.98(d), copies of the above-listed references are not provided, as the references were previously submitted to the Examiner in connection with the parent case, Serial Number: 09/436,164 filed on September 23, 2002.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as filed under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R §1.97(b), no statement or fee is required.

Respectfully submitted,



Peter I. Bernstein
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Form PTO-1449 U.S. DEPARTMENT OF COMMERCE
(REV. 7-80) PATENT AND TRADEMARK OFFICE**LIST OF PRIOR ART
CITED BY APPLICANT***(Use several sheets if necessary)***Atty. Docket No. (Optional)**

13164A

Application Number

10/090,887

Applicant(s)

Benjamin E. Reubinoff, et al.

Filing Date

March 5, 2002

Group Art Unit

1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA						
	AB						
	AC						
	AD						
	AE						

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

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OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		Bongso, A., et al. (1994) "The Growth of Inner Cell Mass Cells From Human Blastocysts", <u>Heriogenology</u> 41:167 (Abstract XP000613214)
		Pera, M. F., et al. (1999) "Human Embryonic Stem Cells", <u>Journal of Cell Science</u> 113:5-10
		Reubinoff, B. E., et al. (2000) "Embryonic stem cell lines from human blastocysts: somatic differentiation in vitro", <u>Nature Biotechnology</u> 18:399-404

EXAMINER**DATE CONSIDERED**

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.